
UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

• 445 Broadway; Albany, NY 12207-2936 •

Unified United States Common Law Grand Jury¹

Sureties of the Peace²

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INFORMATION³

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAR 23 2017

TO: President Donald Trump

LAWRENCE K. BAERMAN, CLERK
ALBANY

RECORDED: Case NO: 1:16-CV-1490

CRIME TO INTERCEPT

The purpose of this information is to advise the President as to the law concerning abuse of power. Thomas Jefferson said in his reply to address,⁴ *"the Constitution on which our Union rests, shall be administered by me [as President] according to the safe and honest meaning contemplated by the plain understanding of the people of the United States at the time of its adoption--a meaning to be found in the explanations of those who advocated, not those who opposed it, and who opposed it merely lest the construction should be applied which they denounced as possible. ... Common sense [is] the foundation of all authorities, of the laws themselves, and of their construction."*⁵

¹ The UUSCLGJ is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of Thousands of People in the name of We the People to suppress, through our Courts of Justice, subverts both foreign and domestic acting under color of law within our governments. States were unified by re-constituting all 3,133 United States counties.

² **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein. Magna Carta Paragraph 52.

³ **INFORMATION:** An accusation exhibited against a person for some criminal offense, without an indictment. 4 Bl.Comm. 308. The word is also frequently used in the law in its sense of communicated knowledge. Masline v. New York, N. FL & H. R. Co., 95 Conn: 702, 112 A. 639, 640.

⁴ 1801. ME 10:248.

⁵ Thomas Jefferson: Batture at New Orleans, 1812. ME 18:92.

Federal district courts do not have the jurisdiction to impeach⁶ the judgment of the President of the United States. ~~We~~ the People, through Article III, Section 2, Clause 5⁷ established and ordained "that sole jurisdiction" to the House of Representatives alone. Any Judge assuming such powers puts our nation in jeopardy would be acting under the color of law⁸ and "*ultra vires*"⁹ rendering his decisions invalid. Therefore, they can be ignored. The judge would be in bad behavior¹⁰ and subject to impeachment by the House or removal by indictment.¹¹

Thomas Jefferson initiated the solution concerning the unauthorized assumptions of power when he said "*Where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy.*"¹² As aforesaid "*the House has been delegated the power to impeach the judgment of the President*", not the courts. Therefore, the President may ignore the court under the doctrine of the "Separation of Powers". As a failsafe, "[*The States*] alone being parties to the [*Federal*] compact... [*are*] solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party but merely the creation of the compact and subject as to its assumptions of power to the final judgment of those by whom and for whose use itself and its powers were all created and modified."¹³ This right was vested by We the People through the 10th Amendment.¹⁴

The President before entering office took an oath to "*preserve, protect and defend the Constitution*"¹⁵ and therefore has a duty to be obedient to his oath and not rouge judges. Adhering to "*strained constructions... [only serves to] loosen all the bands of the*

⁶ **IMPEACH:** [Blacks 4th] "*To accuse; to charge a liability upon; to sue. To dispute, disparage, deny, or contradict; as, to impeach a judgment or decree; or as used in the rule that a jury cannot impeach their verdict.*" *Wolfgram v. Schoepke*, 123 Wis. 19, 100 N. W. 1056.

⁷ **Article III, Section 2, Clause 5:** The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

⁸ **COLOR OF LAW:** [Black's 4th] -- The appearance or semblance, without the substance, of legal right. [*State v. Brechler*, 185 Wis. 599, 202 N.W. 144, 148] Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under "color of state law." -- *Atkins v. Lanning*, 415 F. Supp. 186, 188.

⁹ *Ultra vires* is a Latin phrase meaning "beyond the powers". If an act requires legal authority and it is done with such authority, it is characterised in law as *intra vires* ("within the powers"). If it is done without such authority, it is *ultra vires*. Acts that are *intra vires* may equivalently be termed "valid" and those that are *ultra vires* "invalid".

¹⁰ **Article III, Section 1:** ... The judges, both of the supreme and inferior courts, shall hold their offices during good behavior.

¹¹ "When a judge knows that he lacks jurisdiction, or acts in the face of clearly valid statutes expressly depriving him of jurisdiction, judicial immunity is lost." *Zeller v. Rankin*, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326.

¹² **Draft Kentucky Resolutions**, 1798. ME 17:386.

¹³ **Thomas Jefferson:** *Draft Kentucky Resolutions*, 1798. ME 17:387.

¹⁴ **Amendment X:** The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the states respectively, or to the people.

¹⁵ **Article II, Section 1, Clause 8:** Before he enter on the execution of his office, he shall take the following oath or affirmation:--"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

*Constitution.*¹⁶ Therefore, if the President believes not acting would be detrimental to the security of our Nation, he has a higher moral duty to obey the law by providing for the common defense¹⁷ of our borders that congress vested him with under 8 US Code §1182(f).¹⁸ The opinion of a judge is not the law and has no power to nullify Constitutional law, which is the supreme law of the land.

*"[If] it [were] assumed that the general government has a right to exercise all powers which may be for the 'general welfare, that [would include] all the legitimate powers of government, since no government [Judge] has a legitimate right to do what is not for the welfare of the governed."*¹⁹ *"In the construction of a law, even in judiciary cases of meum et tuum, where the opposite parties have a right and counter right in the very words of the law, the Judge considers the intention of the lawgiver as his true guide, and gives to all the parts and expressions of the law, that meaning which will effect, instead of defeating, its intention."*²⁰ Any judge acting under the color of law for political reasons in an attempt to block the President from exercising his oath to protect We the People is guilty of obstruction and subject to prosecution. The President has a duty to nullify the said unlawful act and may proceed with impunity.²¹ *"The government will certainly decide for itself on whose counsel they will settle the construction of the laws they are to execute. We are to look at the intention of the Legislature, and to carry it into execution while the lawyers are nibbling at the words of the law."*²²

"A nation can survive its fools, and even the ambitious. But it cannot survive treason from within. An enemy at the gates is less formidable, for he is known and he carries his banners openly. But the traitor moves among those within the gate freely, his sly whispers rustling through all the alleys, heard in the very halls of government itself. For the traitor appears not traitor, he speaks in the accents familiar to his victims, and he wears their face and their garments, and he appeals to the baseness that lies deep in the hearts of all men. He rots the soul of a nation, he works secretly and unknown in the night to

¹⁶ Thomas Jefferson to George Ticknor, 1817. FE 10:81

¹⁷ **Preamble to the Constitution:** We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

¹⁸ **8 US Code §1182 (f):** Suspension of entry or imposition of restrictions by President: Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate...

¹⁹ Thomas Jefferson to George Washington, 1792. ME 8:397.

²⁰ Thomas Jefferson to William H. Cabell, 1807. ME 11:318.

²¹ "The U.S. president enjoys absolute immunity from suits for damages arising from his conduct as president." Federal Practice Manual 8.2.B.


²² Thomas Jefferson to Albert Gallatin, 1808. ME 12:168.

*undermine the pillars of a city, he infects the body politic so that it can no longer resist. A murderer is less to be feared."*²³

Our advice to you Mr. President is "Nullify".

SEAL

DATED: March 20, 2017


Grand Jury Foreman

²³ Cicero, 42 B.C.